

# WILLKIE FARR & GALLAGHER LLP

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September 7, 2007

**VIA E-MAIL**

**EX PARTE**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Room TW-325  
445 12<sup>th</sup> Street, S.W.  
Washington D.C. 20554

Re: WC Dkt. Nos. 06-172, 07-97

Dear Ms. Dortch:

On September 9, 2007, the undersigned and Julia Strow as well as Richard Batelaan and Bill Weber of Cbeyond Inc. met with Chris Moore, legal advisor to Commissioner Deborah Tate. In separate meetings on the same day, the undersigned and Julia Strow as well as Richard Batelaan, Bill Weber and Jim Geiger of Cbeyond Inc. met with (1) Commissioner Jonathan Adelstein and Commissioner Adelstein's legal advisor, Scott Bergmann, and (2) Commissioner Robert McDowell and Commissioner McDowell's legal advisor, John Hunter. In all of these meetings, we described the reasons, explained in Cbeyond's submissions in the above-referenced proceedings, why the Commission should deny the Verizon and Qwest petitions for forbearance in the above-referenced docket.

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Pursuant to Section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b), a copy of this notice is being filed electronically in the above-referenced proceedings. Please contact me if you have any questions.

Respectfully submitted,

/s/

Thomas Jones  
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202-303-1111

cc:     Commissioner Jonathan Adelstein  
          Commissioner Robert McDowell  
          Scott Bergmann  
          John Hunter  
          Chris Moore